IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

WA.No. 1268 of 2007(B)

(AGAINST THE JUDGEMENT IN WPC.15278/2006 Dated 23/03/2007)

APPELLANT/PETITIONER

NASEEM SHUKUR KHAN,
FORMERLY PART-TIME OFFICIAL RECEIVER,
DISTRICT COURT, THIRUVANANTHAPURAM, RESIDING AT
KHADEEJA NIVAS, NEW LANE, PETTAH,
THIRUVANANTHAPURAM.

BY ADV. SRI.V.N. ACHUTHA KURUP (SR.)
ADV. SRI.BINDU SREEKUMAR

RESPONDENTS/RESPONDENTS:
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1. STATE OF KERALA, REP. BY
THE SECRETARY, HOME (C) DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE REGISTRAR,
HIGH COURT OF KERALA, ERNAKULAM.

3. A.P.JAYAN,
ADVOCATE, S/O. LATE N.PEETHAMBARAN,
AGED 51 YEARS, RESIDING AT 'LAVANYA',
ATAHZAMANGALAM, NEYYATTINKARA, NOW WORKING AS
OFFICIAL RECEIVER, DISTRICT COURT,
THIRUVANANTHAPURAM.

BY SPECIAL GOVERNMENT PLEADER SHRI C.T. RAVIKUMAR.
R3 BY ADV. SRI.B. JAYASURYA

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 13/08/2007, ALONG WITH WA NO. 1099 OF 2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

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W.A. Nos. 1268 AND 1099 OF 2007

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Dated this the 13th August, 2007

J U D G M E N T

H.L. Dattu, C.J.:

These appeals arise out of the order passed by the learned single Judge in W.P.(C)No. 15278 of 2006 and W.P.(C) No. 153 of 2007 dated 23rd March, 2007. The learned single Judge, by the impugned orders, has rejected the Writ Petitions. While doing so, the learned single Judge has directed the petitioner/appellant herein to pay a sum of Rs.5000/- each, as cost, to the Kerala High Court Legal Services Committee, within 15 days from the date of receipt of a copy of the order.

2. Learned counsel appearing for the appellant very fairly submits that the appellant is not interested on any one of the reliefs sought for in these Writ Appeals. However, the learned counsel requests this court that the cost imposed by the learned single Judge may be deleted since the appellant is a practising advocate.

3. We are of the opinion that the request of the learned counsel for the appellant appears to be reasonable and if it is granted, it would not cause any prejudice to the other side. Therefore, while rejecting these Writ Appeals, taking into consideration the submission made by the learned counsel for the

appellant, we delete the direction issued by this court to pay a sum of Rs. 5000/- each in W.P.(C) Nos. 15278 of 2006 and 153 of 2007, as cost to the Kerala High Court Legal Services Committee. We are doing this only for the sole and simple reason that the appellant is a practising advocate.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

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